

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

EARL ROBERT MERRITT JR.

Plaintiff,

v.

Civil Action No. 2:06-885

LUCY FLORENCE COCHRAN-YOUELL,  
also known as Tiny, and  
LINDA YOUELL-TAYLOR and  
DONALD TAYLOR and  
JONATHAN YOUELL,  
also known as Jon, and  
SHERRY YOUELL and  
ANNE YOUELL-NELSON and  
DONNIE NELSON and  
THOMAS YOUELL,  
also known as Tom, and  
BRANDON YOUELL and  
MANDY YOUELL and  
OSCAR LEE COCHRAN and  
JOYCE WINFREE-HESS and  
also known as Teddie  
THOMAS W. SMITH ESQUIRE and  
PATTY J. SIMS and  
LAWRENCE B. KELLY MD and  
CARDINAL WILLIAM KEELER and  
BISHOP MICHAEL BRANSFIELD and  
FATHER EDWARD SADIE and  
FATHER ALBERT ALEXANDEUNAS,  
and all others aiding and abetting  
these defendants and racketeers, and  
OFFICE OF THE WEST VIRGINIA  
STATE SENATOR JEFFREY V. KESSLER and  
THE ST. JOHN'S CATHOLIC CHURCH  
IN BELLE, WEST VIRGINIA and  
THE SACRED HEART CATHOLIC CHURCH  
IN CHARLESTON, WEST VIRGINIA and  
THE ROMAN CATHOLIC DIOCESE  
IN WHEELING, WEST VIRGINIA and  
UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT FOR WEST VIRGINIA and  
THE ROMAN CATHOLIC ARCH-DIOCESE

FOR THE STATE OF WEST VIRGINIA  
IN BALTIMORE, MARYLAND

Defendants

EARL ROBERT MERRITT JR.

Plaintiff,

v.

Civil Action No. 2:07-0041

LUCY FLORENCE COCHRAN-YOUELL,  
REVEREND FATHER PAUL FAHEY, Deceased, and  
REVEREND FATHER ALBERT ALEXANDEUNAS, Pastor, and  
REVEREND FATHER COLIN DONOHUE O.F.M. CAPUCHIN and  
REVEREND FATHER EDWARD SADIE, Pastor  
BISHOP MICHAEL BRANSFIELD and  
FATHER JOHN GALLAGHER and  
FATHER FRED ANNIE and  
REVEREND FATHER JOHN PFANNENSTIEL and  
EMINENCE CARDINAL WILLIAM KEELER and  
JOSEPH RATZINGER and  
THE HOLY SEE, VATICAN CITY, ROME, ITALY,  
And All Other Aiding and Abetting These  
Defendants and Racketeers Also Known as  
His Holiness Pope Benedict XVI, and  
ST. JOHN'S ROMAN CATHOLIC CHURCH and  
SACRED HEART ROMAN CATHOLIC CHURCH and  
THE ROMAN CATHOLIC DIOCESE and  
THE CAPUCHIN-FRANCISCAN ORDER and  
THE ROMAN CATHOLIC ARCH-DIOCESE and  
THE ROMAN CATHOLIC CHURCH

Defendants

MEMORANDUM OPINION AND ORDER

These actions were previously referred to Mary E.  
Stanley, United States Magistrate Judge, who has submitted her

Proposed Findings and Recommendation pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B). As noted more fully within, in addition to his objections respecting the Proposed Findings and Recommendation, plaintiff appeals a July 12, 2007, order entered by the magistrate judge.<sup>1</sup>

The court has reviewed the materials submitted in support of the appeal. Plaintiff has not demonstrated that the order appealed from is either clearly erroneous or contrary to law. The court, accordingly, ORDERS that the July 12, 2007, order be, and it hereby is, affirmed.

The court has also reviewed the Proposed Findings and Recommendation entered by the magistrate judge on September 27, 2007. The magistrate judge recommends (1) dismissal of these civil actions pursuant to 28 U.S.C. § 1915(e)(2)(B), and (2) denial of plaintiff's requests to amend his complaints.

On October 12, 2007, plaintiff filed his objections to the magistrate judge's proposed disposition.<sup>2</sup> The court has

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<sup>1</sup>Plaintiff moved orally for an extension of time to appeal the July 12, 2007, order. It is ORDERED that the oral motion for extension be, and it hereby is, granted. It is further ORDERED that the appeal, be, and it hereby is, deemed timely.

<sup>2</sup>On October 8, 2007, the court received an original version  
(continued...)

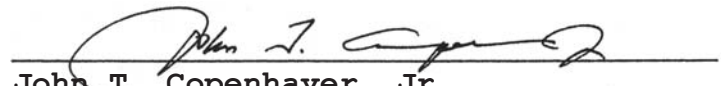
reviewed the objections. Plaintiff's objections are either not meritorious or are addressed fully by the magistrate judge's proposed disposition.

Inasmuch as plaintiff's objections are not meritorious, and following a de novo review, the court concludes the recommended disposition is correct. The magistrate judge's Proposed Findings and Recommendation is incorporated herein in its entirety.

Based upon the foregoing, the court, accordingly, ORDERS that these actions be, and they hereby are, dismissed without prejudice.

The Clerk is directed to forward copies of this written opinion and order to counsel of record and the pro se plaintiff, and the United States Magistrate Judge.

DATED: November 7, 2007

  
John T. Copenhaver, Jr.  
United States District Judge

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<sup>2</sup>(...continued)  
of plaintiff's "REQUEST FOR EXTENSION OF TIME TO ANSWER/OBJECTION TO 55 PAGES OF ORDERS TO DISMISS THE ABOVE CASES BY MAGISTRATE MARY E. STANLEY ON SEPTEMBER 27, 2007" ("REQUEST"). The REQUEST was preceded by copies of the same document sent by facsimile to chambers on October 1, 2007. Inasmuch as plaintiff timely filed his objections on October 12, 2007, the court ORDERS that plaintiff's REQUEST be, and it hereby is, denied as moot.